

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. FEB 25 1988

Returned to applicant for correction. APR 21 1988

Corrected application filed JUN 06 1988 Map filed JUN 06 1988 under 51872

The applicant ERNEST J. PRIMM

P.O. Box 128

of Jean

Street and No. or P.O. Box No.

City or Town

Nevada 89019

State and Zip Code No.

hereby make a application for permission to change the

the point of diversion and place of use.

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 35618

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is underground  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed .4448 cfs, not to exceed 104.93 maa  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for quasi-municipal and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for quasi-municipal and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 9, T. 27 S.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
R. 59 E., M.D.B.&M. at a point within the East 1/16 corner Section 9, T. 27 S.,  
distance to a section corner. If on unsurveyed land, it should be stated.  
R. 59 E., M.D.B.&M. bears North 8 $^{\circ}$ 44'59" East a distance of 750.60 feet.
6. The existing permitted point of diversion is located within within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 9, T. 27 S.,  
If point of diversion is not changed, do not answer.  
R. 59 E., M.D.B.&M. at a point from which the East  $\frac{1}{4}$  corner Section 9, T. 27 S.,  
R. 59 E., M.D.B.&M. bears South 44 $^{\circ}$ 04'05" East a distance of 100 feet.
7. Proposed place of use within a portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 8, NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 17, and Tract  
37 T. 17 N., R. 15 E.,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
S.B.&M. (San Bernardino Co., Ca); within a portion of E $\frac{1}{2}$  SW $\frac{1}{4}$  Sec. 8, SE $\frac{1}{4}$  NW $\frac{1}{4}$   
Sec. 8, E $\frac{1}{2}$  Sec. 8, NW $\frac{1}{4}$  Sec. 9, W $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 9, SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 9, S $\frac{1}{2}$  NW $\frac{1}{4}$  Sec. 10  
and SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 10, all within T. 27 S., R. 59 E., M.D.B.&M.
8. Existing place of use within a portion of SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$   
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
Section 8, T. 27 S., R. 59 E., M.D.B.&M.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Drilled and cased well, submersible pump,  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
electric motor, storage reservoir and distribution system to place of use.  
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$50,000
13. Estimated time required to construct works Three years

14. Estimated time required to complete the application of water to beneficial use..... Ten years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be utilized for the entire long-range use of Whiskey Pete's Casino.

The use will include the casino, a modest amount of outside landscaping,

recreational facilities and an 18-hole golf course. A complete analysis of anticipated consumption will be supplied prior to this application being considered ready for action.

By s/Ross E. de Lipkau

R. E. de Lipkau

P.O. Box 2790, Reno, Nv 89505

Compared bk/ pm pm/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 35618 is issued subject to the terms and conditions imposed in said Permit 35618 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 51870, 51871, 51872, 51873, 52087 and 52088 shall not exceed 177.92 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.4448 cubic feet per second, but not to exceed 104.93 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 29, 1989

Proof of completion of work shall be filed before April 29, 1989

Application of water to beneficial use shall be made on or before March 29, 1990

Proof of the application of water to beneficial use shall be filed on or before April 29, 1990

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAY 25 1989 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed my office, this 8th day of December

Cultural map filed

Certificate No. Issued

A.D. 19 88

*Peter G. Morros*  
State Engineer